

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL CEDRIC GUESS,

Petitioner,

No. CIV S-09-0597 GGH P

vs.

M. EVANS, Warden,

Respondent.

ORDER

\_\_\_\_\_/

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254.

The application attacks a conviction issued by the Santa Clara County Superior Court. While both this Court and the United States District Court in the district where petitioner was convicted have jurisdiction, see Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973), any and all witnesses and evidence necessary for the resolution of petitioner's application are more readily available in Santa Clara County. Id. at 499 n.15; 28 U.S.C. § 2241(d).

////

////

////

////

1                   Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that this  
2 matter is transferred to the United States District Court for the Northern District of California.

3 DATED: March 10, 2009

4  
5                   /s/ Gregory G. Hollows

6                   \_\_\_\_\_  
7 GREGORY G. HOLLOWS  
8 UNITED STATES MAGISTRATE JUDGE

7 GGH:mp  
8 gues0597.108